

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200
Rancho Cordova, California 95670-6114

**NOTICE OF PROPOSED SETTLEMENT
TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER**

for
CITY OF WINTERS
WINTERS WASTEWATER TREATMENT FACILITY
YOLO COUNTY

This Notice announces the proposed settlement of Administrative Civil Liability Complaint No. R5-2007-0502, the terms of which are set forth in a tentative Administrative Civil Liability (ACL) Order. The tentative ACL Order proposes to assess the City of Winters ("Discharger") an administrative civil liability in the amount of \$70,000. Alternatively, the Discharger may satisfy the Order by (1) paying an administrative civil liability of \$27,500 and (2) by completing a Supplemental Environmental Project (which consists of development of an educational video about the effects of water quality on stream habitat) at a minimum cost to the Discharger of \$42,500. If any of the \$42,500 is not expended within one year of approval of the SEP, the Discharger must pay the outstanding amount unless the project timeline is extended by the Executive Officer of the Regional Water Board.

This Notice also announces the beginning of a 30-day public review period for the proposed settlement. Comments on the proposed settlement must be submitted in writing and must be received by the Central Valley Regional Water Quality Control Board **no later than 5:00 p.m. on 31 August 2007.**

The City of Winters is the owner and operator of the wastewater treatment facility in Winters, Yolo County. The Discharger operates the wastewater treatment facility pursuant to Waste Discharge Requirements (WDRs) Order No. R5-2002-0136. On 22 February 2007, the Central Valley Regional Water Board's Executive Officer issued Administrative Civil Liability Complaint No. R5-2007-0502 for certain violations of the WDRs. As described in the ACL Complaint, the Discharger violated the WDRs by discharging waste to surface water drainage courses on four separate occasions, in violation of California Water Code section 13376.

Following issuance of the ACL Complaint, staff conferred with the Discharger on behalf of the Executive Officer of the Regional Water Board for the purpose of settling this matter. After arm's length negotiations, the Discharger and the Executive Officer agreed to a proposed settlement of the administrative civil liability matter for the full amount proposed in the ACL Complaint (\$70,000). Under the proposed settlement, the Discharger may comply with this Order by completing the \$42,500 Supplemental Environmental Project (described above) and paying an administrative civil liability of \$27,500 to the State Water Pollution Cleanup and Abatement Account.

The Discharger has expressed its desire to settle the matter and willingness to waive its right to a hearing on Administrative Civil Liability Complaint No. R5-2007-0502.

Notice of Proposed Settlement

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As required by the Clean Water Act, the public has an opportunity to comment on the tentative settlement prior to the Executive Officer's determination about whether to approve the settlement. A copy of the settlement documents and the files concerning the enforcement action are available at the Regional Water Board offices. The settlement documents are also posted on the Regional Water Board's website at www.waterboards.ca.gov/centralvalley/. You may contact Anne Olson to arrange to review the files.

Written comments on the settlement must be received by the Regional Water Board no **later than 5:00 p.m. on 31 August 2007**. Comments should be directed to:

Anne Olson
California Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, #220
Rancho Cordova, CA 95670-6114
(916) 464-4740

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Jack E. Del Conte, Assistant Executive Officer

Date: 1 August 2007